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3700

Attorney Docket No.: A31-5822

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: James J. Pagliuca, et al.

Group Art: 3739

Serial No.: 09/940,402

Examiner: John P. Leubecker

Filed on: August 27, 2001

For: APPARATUS FOR ADJUSTABLY SUPPORTING AN ENDOSCOPE

Mail Stop Non-Fee Amendment

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

AMENDMENT TRANSMITTAL

1. Transmitted herewith is an amendment for this application.

STATUS

2. Applicant is

☒ a small entity.

☐ other than a small entity.

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NOV 20 2003

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CERTIFICATE OF MAILING/TRANSMISSION (37 C.F.R. 1.8A)

I hereby certify that this correspondence is, on the date shown below, being:

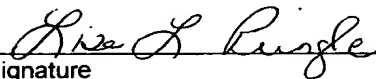
MAILING

☒ deposited with the United States Postal Service, with sufficient postage, as first class mail in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

FACSIMILE

☐ transmitted by facsimile to the Patent and Trademark Office.

Date: November 12, 2003


Signature
Lisa L. Pringle
(type or print name of person certifying)

EXTENSION OF TERM

NOTE: "Extension of Time in Patent Cases (Supplemental Amendments) - If a timely and complete response has been filed after a Non-Final Office Action, an extension of time is not required to permit filing and/or entry of an additional amendment after expiration of the shortened statutory period.

If a timely response has been filed after a Final Office Action, an extension of time is required to permit filing and/or entry of a Notice of Appeal or filing and/or entry of an additional amendment after expiration of the shortened statutory period unless the timely-filed response placed the application in condition for allowance. Of course, if a Notice of Appeal has been filed within the shortened statutory period, the period has ceased to run." Notice of December 10, 1985 (1061 O.G. 34-35).

NOTE: See 37 CFR 1.645 for extensions of time in Interference proceedings, and 37 CFR 1.550(c) for extensions of time in reexamination proceedings.

3. The proceedings herein are for a patent application and the provisions of 37 CFR 1.136 apply.

(complete (a) or (b), as applicable)

- (a) ☐ Applicant petitions for an extension of time under 37 CFR 1.136 (fees: 37 CFR 1.17(a)-(d) for the total number of months checked below:

| Extension (months) | Fee other than small entity | Fee for Small entity |
|---------------------------------------|--------------------------------|-------------------------|
| <input type="checkbox"/> one month | \$110.00 | \$55.00 |
| <input type="checkbox"/> two months | \$420.00 | \$210.00 |
| <input type="checkbox"/> three months | \$950.00 | \$475.00 |
| <input type="checkbox"/> four months | \$1480.00 | \$740.00 |

Fee \$

If additional extension of time is required, please consider this a petition therefor.

(complete (a) or (b), as applicable)

- ☐ An extension for _____ months has already been secured. The fee paid therefor of \$_____ is deducted from the total fee due for the total months of extension now requested.

Extension fee due with this request \$_____

or

- (b) ☒ Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

4. The fee for claims (37 CFR 1.16(b)-(d)) has been calculated as shown below:

| (Col. 1) | (Col. 2) | (Col. 3) | SMALL ENTITY | | | OTHER THAN A SMALL ENTITY | |
|--|---------------------------------------|------------------|------------------------|---------------|----|---------------------------|---------------|
| CLAIMS REMAINING AFTER AMENDMENT | HIGHEST NO. PREVIOUSLY PAID FOR | PRESENT EXTRA | RATE | ADDIT. FEE | OR | RATE | ADDIT. FEE |
| TOTAL* 48 | MINUS **48 | = | X 9.00= | \$ | | X 18.00= | \$ |
| INDEP. 7 | MINUS***7 | | X 42.00= | \$ | | X 86.00= | \$ |
| <input type="checkbox"/> FIRST PRESENTATION OF MULTIPLE DEP. CLAIM | | | +140.00= | \$ | | +290.00= | \$ |
| | | | TOTAL ADDIT. FEE | \$ | OR | TOTAL ADDIT. FEE | \$ |

- * If the entry in Col. 1 is less than entry in Col. 2, write "0" in Col. 3.
 ** If the "Highest No. previously Paid for" IN THIS SPACE is less than 20, enter "20".
 *** If the "Highest No. previously Paid for" IN THIS SPACE is less than 3, enter "3".
 The "Highest No. Previously Paid for" (Total or Indep.) is the highest number found in the appropriate box in Col. 1 of a prior amendment or the number of claims originally filed.

WARNING: "After final rejection or action (§ 1.113) amendments may be made canceling claims or complying with any requirement of form which has been made." 37 CFR § 1.116(a) (emphasis added).

(complete (c) or (d), as applicable)

- (c) ☒ No additional fee for claims is required.

OR

- (d) ☐ Total additional fee for claims required \$ _____

FEE PAYMENT

5. ☐ Attached is a check in the sum of \$ _____.
☐ This check includes fees for extension of time and extra claims.
☐ Charge Account No.: _____ the sum of \$ _____.
 A duplicate of this transmittal is attached.

FEE DEFICIENCY

NOTE: If there is a fee deficiency and there is no authorization to charge an account, fees are necessary to cover the additional time consumed in making up the original deficiency. If the maximum, six-month period has expired before the deficiency is noted and corrected, the application is held abandoned. In those instance where authorization to charge is included, processing delays are encountered in returning the papers to the PTO Finance Branch in order to apply these charges prior to action on the cases. Authorization to charge the deposit account for any fee deficiency should be checked. Se the Notice of April 7, 1986, (1065 O.G. 31-33).

6. ☒ If any additional extension and/or fee is required, charge Account No.: 20-0090.

AND/OR

- ☒ If any additional fee for claims is required, charge Account No.: 20-0090.

Reg. No.:36,029



SIGNATURE OF ATTORNEY

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PATENT

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS
BEING DEPOSITED WITH THE U.S. POSTAL SERVICE AS
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MAIL STOP NON FEE AMENDMENT, COMMISSIONER FOR
PATENTS, P.O. BOX 1450, ALEXANDRIA, VA 22313-
1450, ON

November 12, 2003
Lisa L. Ringle 11/12/03
SIGNATURE DATE

11-20-03
4/a

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AMENDMENT

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Sir:

In response to the Office Action dated August 13, 2003
please amend the above-identified application as follows: